

REMARKS

The Examiner objected claims to 2 and 21 as being dependent upon a rejected based claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants gratefully acknowledge the Examiner's indication of allowable subject matter.

The Examiner rejected claims 1, 3 and 8 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Li (Li *et al.* US 6,911,360) in view of Kobayashi (US 5,083,183).

Applicants respectfully traverse the § 103(a) rejections with the following arguments.

35 U.S.C. § 103(a)

The Examiner rejected claims 1, 3 and 8 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Li (Li *et al.* US 6,911,360) in view of Kobayashi (US 5,083,183).

Regarding claim 1, Applicants respectfully contend that claim 1 is not unpatentable over Li in view of Kobayashi, because Li in view of Kobayashi does not teach or suggest each and every feature of claim 1. For example, Li in view of Kobayashi does not teach or suggest “an **electrically conductive** liner region” of claim 1 (bold emphasis added). Applicants respectfully present two arguments for this point.

As the first argument of Applicants, **both** Li and Kobayashi do not teach or suggest “an **electrically conductive** liner region” of claim 1 (bold emphasis added).

On one hand, Li does not teach or suggest “an electrically conductive liner region” of claim 1 as admitted by the Examiner (last 2 lines of page 2 of the Office Action mailed August 9, 2006).

On the other hand, Kobayashi also does not teach or suggest “an **electrically conductive** liner region” of claim 1 (bold emphasis added). More specifically, Kobayashi, in FIG. 4, teaches that the liner region 14 is made of silicon (column 1, lines 24-25) which is not an **electrically conductive** material. In other words, Kobayashi does not teach or suggest “an **electrically conductive** liner region” of claim 1 (bold emphasis added).

Because **both** Li and Kobayashi do not teach or suggest “an **electrically conductive** liner region” of claim 1, Li in view of Kobayashi does not teach or suggest “an **electrically conductive** liner region” of claim 1 (bold emphasis added).

As the second argument of Applicants, the Examiner has failed to show any incentive to use a liner region taught by the liner region 14 of Kobayashi in Li. The Examiner argued in the Office Action (mailed August 9, 2006) that “as evidenced in Kobayashi (Fig. 4), one of ordinary skill in the art would also readily recognize that such a conductive liner (see layer 14) can be desirably formed so as to better protect the conductive region (13)” (page 3, first 2 lines). However, contrary to the Examiner’s belief, Kobayashi does **not** teach or suggest that the liner region 14 provides any protection for the electrically conductive region 13 (FIG. 4). In contrast, Kobayashi discloses that the primary function of the liner region 14 (FIG. 4) is to serve as a stopper for etching (Kobayashi, column 1, lines 45-47). As a result, the Examiner has failed to show any incentive to use a liner region (taught by the liner region 14 of Kobayashi) in Li.

Based on the preceding arguments, Applicants respectfully maintain that claim 1 is not unpatentable over Li in view of Kobayashi, and that claim 1 is in condition for allowance.

Regarding claims 3 and 8, since claims 3 and 8 depend from claim 1, Applicants contend that claims 3 and 8 are likewise in condition for allowance.

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account No. 09-0456.

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